

Council Agenda

August 27, 2012 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided on Monday after 1:00 p.m.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Public Safety Millage Update

CONSENT AGENDA:

1. Approve the minutes from August 13, 2012 regular council meeting.
2. Approve the 2012/2013 budget adjustment for the Public Safety – Police General Fund's Use of Fund Equity Account for the purchase of equipment and clothing to be used for Saginaw's Citizens on Patrol Program.
3. Approve the 2013 budget adjustment for the Public Safety – Police Federal Grants/JAG 2012 Revenue for the replacement of the Mobile Data Terminals in the amount of \$33,719 and to replace one marked police cruiser with accessories in the amount of \$25,000.
4. Approve and issue a purchase order in the amount of \$7,500 to Douglass Safety Systems for the purchase of 10 ISI Carbon SCBA Air Cylinders for the Community Public Safety-Fire Department for fiscal year 2013.
5. Approve the appointment of Grace DeLeon as officer delegate and Dennis Jordan as alternate officer delegate, and Diana Trevino as employee delegate and John Frollo as alternate employee delegate, to attend the Municipal Employees Retirement System's 66th Annual Meeting to be held October 3-5, 2012, in Grand Rapids, Michigan.
6. Approve and issue a purchase order in the amount of \$16,353.14 to IBM Corporation for annual payment to renew the Lotus Notes subscription for maintenance coverage and license fees.

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7. Approve the agreement with Complus Data Innovations, Inc. to provide services pertaining to parking administration, enforcement, and collections.
8. Approve and issue a purchase order in the amount of \$5,285 to BS&A Software for annual payment to renew software maintenance/support for the Fiscal Services Department, Treasurer's Division, and Assessor's Division for a 12-month period.
9. Approve and issue a blanket purchase order to Grainger Inc. in the amount of \$7,700 for fiscal year 2013 for the purchase of miscellaneous supplies by the Maintenance and Services Division.
10. Approve and issue separate purchase orders to Etna Supply in the amount of \$9,861.02 for fiscal year 2013 and \$206,213.54 for fiscal year 2014; and to Michigan Pipe and Valve in the amount of \$154,845 for fiscal year 2013; and the issuance of separate annual purchase orders to HD Supply in the amount of \$52,077.07 for fiscal year 2013 and in the amount of \$58,704 for fiscal year 2014 for purchases by the Maintenance and Service Division.
11. Approve the agreement and issue a purchase order in the amount of \$4,605 to Kone, Inc. for an elevator maintenance service proposal for fiscal years 2013 and 2014 for the Water Treatment Division.
12. Approve the agreement and issue a purchase order in the amount of \$10,000 for fiscal year 2013 and fiscal year 2014 to Optimization Solutions Environmental, LLC., for the Water Treatment Division.
13. Approve and issue separate purchase orders to Bernier Cast Metals, Inc. in the amount of \$15,900 for fiscal year 2013 to reverse engineer the impeller and rings for a high service pump and the issuance of a separate purchase order to Central Metallizing and Machine, Inc. in the amount of \$3,000 for fiscal year 2013 to machine and assemble the castings on the existing pump shaft of a high service pump at the Water Treatment Plant.
14. Approve the Resolution authorizing the sale and consumption of alcoholic beverages for the Hamilton Street Pub/Drunken Monkey Annual Altered Skin Revolution Outdoor Special Event on September 14 and 15, 2012.
15. Approve the Resolution authorizing the use of amplifying equipment for the Hamilton Street Pub/Drunken Monkey Annual Altered Skin Revolution Outdoor Special Event on September 14 and 15, 2012.

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REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

1. Consideration of reappointing Dawn Morrell and Thelma Ruffin to the Saginaw Arts & Enrichment Commission with a term to expire June 30, 2015.
2. Consideration of reappointing Andrew J. Dominowski to the Saginaw Economic Development Corporation with a term to expire June 30, 2015.
3. Consideration of appointing Bridget Looby to the Saginaw Riverfront Development Commission to fill a vacancy with a term to expire April 1, 2013.
4. Consideration of appointing Wasyl Czerewko and Patrick Hengensbach to the Saginaw Riverfront Development Commission to fill vacancies with terms to expire April 1, 2014.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend §72.55 "Parking Violations Bureau," §72.99 "Penalties," §72.03 "Boat Launch Parking Areas," §72.40 "City Parking Lots or Areas," and §72.41 "Reduced Group Rates," of Chapter 72, "Parking Regulations," of Title VII "Traffic Regulations", of the City of Saginaw Code of Ordinances, O-1.

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Consideration of Freedom of Information Act Appeal
2. Motion to go into closed session to discuss pending litigation concerning the Whistleblower's Protection Act, per MCL 15.268 Section 8.

Darnell Earley
City Manager

From: Darnell Earley, City Manager
Subject: Dow Chemical – Saginaw Citizen Patrol Budget Adjustment
Prepared by: Brian Lipe, Community Public Safety - Police

Manager’s Recommendation:

It is recommended that the 2012/2013 Approved Budget for General Fund’s Use of Fund Equity Account No 101-0000-680.00-00 be increased from \$0.00 to \$10,000. This appropriation reflects the 2012 donated funds from the Dow Chemical Company Foundation for the purchase of equipment and clothing that will be used by Saginaw’s Citizen Patrol in FY 2013. These funds were received by the City in April 2012 but were not spent. The increase in revenues will be offset by an increase in the Community Public Safety – Police, Police Administration Division’s Professional Services Account No. 101-3512-721.80-01 by the same.

Justification:

On May 7, 2012, City Council approved a \$10,000 donation from the Dow Chemical Company Foundation to purchase equipment to be used by the Saginaw Citizen Patrol. The background checks have been completed. The training and equipping phase is ready to begin. This budget adjustment reflects the unspent award from last year’s budget.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Budget Adjustment – 2012 Justice Assistance Grant (JAG)
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

It is recommended that a budget adjustment be completed to increase the Federal Grants/JAG 2012 revenue line item no. 263-0000-513.58-11 from \$0 to \$58,719. This increase in revenue will be offset by an increase in the Capital Outlay/Less Than \$5000 line item no. 263-3331-741.97-05 in the amount of \$33,719 and to Capital Outlay/Vehicles line item no. 263-3331-741.97-70 in the amount of \$25,000.

Justification:

This budget adjustment is necessary for contribution costs related to the replacement of the Mobile Data Terminals in the amount of \$33,719 and to replace one marked police cruiser with accessories in the amount of \$25,000 to be assigned to the department’s uniformed division. The Community Public Safety – Police department received the 2012 JAG grant but the allocation was undetermined at the time the budget was approved.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: ISI Self-Contained Breathing Apparatus (SCBA) Air Cylinders

Prepared by: Sienna Rendon, Community Public Safety – Fire

Manager’s Recommendation:

I recommend that a purchase order be approved and issued to Douglass Safety Systems, LLC, Sanford, MI, in the amount of \$7,500 for the purchase of ten (10) ISI Carbon SCBA Air Cylinders for the Community Public Safety – Fire Department for fiscal year 2013.

Justification:

SCBA air cylinders are used as personal protective equipment that is worn in hazardous environments. The new cylinders will replace the old cylinders that have reached the manufacturer’s recommended service life. The air pack system is manufactured by ISI and Douglass Safety Systems is a sole source provider.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted and available in the Community Public Safety – Fire Parts and Supplies account no. 101-3551-751.73-30.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Municipal Employees Retirement 66th Annual Meeting
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend appointing Grace DeLeon as officer delegate and Dennis Jordan as alternate officer delegate, and Diana Trevino as employee delegate and John Frolo as alternate employee delegate, to attend the Municipal Employees Retirement System's 66th Annual Meeting to be held October 3-5, 2012, Grand Rapids, Michigan.

Justification:

The Municipal Employees Retirement Act provides that an annual meeting shall be held for representatives of participating municipalities for the purpose of selecting nominees for membership on the retirement board and to transact such business as may be required for the proper operation of the retirement system. The annual meeting for 2012 has been scheduled for October 3-5, 2012, Grand Rapids, Michigan.

The officer delegate and alternate officer delegate are recommended based on appointing criteria. The employee delegate and employee alternate delegate are elected in accordance with the Act that requires the City Clerk to hold a secret ballot election for all eligible MERS members. Such an election was held. Upon conclusion, votes were counted and tallied resulting in Diana Trevino receiving the highest number of votes and John Frolo the second highest.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Renewal of Lotus Notes Software Subscription
Prepared by: Chris Seager, Technical Services

Manager's Recommendation:

I recommend approval and issuance of a purchase order to IBM Corporation in the amount of \$16,353.14 as an annual payment for the renewal of the City's Lotus Notes software subscription for maintenance coverage and license fees to operate the City of Saginaw's e-mail, calendar and workflow system.

Justification:

Lotus Notes is the e-mail and calendar software used by the City of Saginaw. The annual subscription provides support, upgrades and license coverage for Lotus Notes.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds are budgeted and available in the Technical Services Operating Services Account No. 658-1720-711.80-05 for this purchase.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Complus Data Innovations, Inc. Parking Ticket Service Agreement
Prepared by: Jeff Klopocic, Technical Services Director

Manager's Recommendation:

I recommend that the City of Saginaw enter into an agreement with Complus Data Innovations, Inc., Tarrytown, NY, to provide services pertaining to parking administration, enforcement, and collections relative to the City's amended Parking Regulations Ordinance. The agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

Complus Data Innovations, Inc. was selected by the Parking Reform Task Force, staffed by representatives from the Department of Developments Division of Parking Operations and Maintenance, Community Public Safety's Police; Budget Office, and Department of Technical Services.

Complus Data Innovations, Inc. will provide all hardware and software and will be responsible for all hardware and software maintenance, hardware repairs, replacement, licensing, training, and support.

Complus Data Innovations, Inc. will process tickets, generate notices, track ticket history, obtain nationwide Department of Motor Vehicle information, participate and cooperate with the Michigan Secretary of State's Driver's License Hold program, process payments and collect citation fees relative to the City's parking regulations ordinance.

The Parking Regulations Ordinance was amended to clarify and simplify the procedure for processing parking violation notices and citations. It was also designed to assist in the implementation process for working with Complus Data Innovations, Inc. for parking ticket management. Their entire parking management solution provides comprehensive customer service, administration and dedicated compliance for the enforcement of the City's parking ordinance, accounts receivables, and collections of delinquent amounts.

There are no upfront system software, hardware, training, support or maintenance costs. The revenue sharing schedule is based on revenue collected, parking fees, fines and other charges applicable to parking violation citations including delinquent amounts. The City's revenue percentages are as follows:

- 84.0% of all paid parking ticket revenue up to \$200,000 annually.
- 87.5% of all paid parking ticket revenue up to \$300,000 annually.
- 88.5% of all paid parking ticket revenue up to \$400,000 annually.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

The vendor shall receive payment exclusively from the revenues generated by the services relative to the City's parking regulations ordinance.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Annual BS&A Software maintenance/support renewal payment
Prepared by: Chris Seager, Technical Services

Manager's Recommendation:

I recommend that payment be made to BS&A Software, in the amount of \$5,285, for the renewal of annual software maintenance/support. The maintenance covers the Tax, Special Assessment and Delinquent Personal Property systems used by the Fiscal Services Department, Treasurer's Division, and includes all support and updates to the software for one year.

Justification:

The City annually renews our maintenance and license fees for BS&A Software. This annual renewal of maintenance and license fees is for a 12-month period.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this payment are budgeted and available in the Technical Services Operating Services Account No. 658-1720-711.80-05.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: Blanket Purchase Order for Grainger

Prepared by: John Premo, Public Services Department

Manager's Recommendation:

I recommend that a blanket purchase order be approved and issued to Grainger Inc., Saginaw, in the amount of \$7,700 for fiscal year 2013 for the purchase of miscellaneous supplies by the Maintenance and Services Division.

Justification:

The Maintenance and Service Division requires miscellaneous supplies throughout the fiscal year. An efficient way of purchasing these items is to establish a blanket purchase order. This allows the Maintenance and Service Division to purchase items that include hand tools, shovels, rakes, sledge hammers, wrenches, sockets, and sump pumps for wholesale customer meter pits and other equipment required to complete the work of water and sewer without having to establish a purchase order each time for products that Grainger Inc. supplies.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Sewer Operation and Maintenance Fund - Maintenance and Service Division's, Parts and Supplies Account No. 590-4821-861.73-30, (\$3,850), and the Water Operation and Maintenance Fund - Maintenance and Service Division's, Parts and Supplies Account No. 591-4721-861.73-30 (\$3,850).

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Annual Purchase Orders for Water Main Appurtenances
Prepared by: John Premo, Public Services Department

Manager’s Recommendation:

I recommend that the low bids be accepted and separate purchase orders be approved and issued to Etna Supply, Grand Rapids, MI, in the amount of \$9,861.02, Michigan Pipe and Valve, Saginaw, MI in the amount of \$154,845, and HD Supply, Canton, MI in the amount of \$52,077.07 for fiscal year 2013. I further recommend that the low bids be accepted and purchase orders for fiscal year 2014 be approved and issued to Etna Supply in the amount of \$206,213.54 and HD Supply in the amount of \$58,704.

Justification:

On June 12, 2012, the City received bids from three vendors for a two-year supply of Water Main Appurtenances. This bid included 53 Sub-Groups and over 3,000 various items used in the maintenance, repair and construction of the Water Distribution and Transmission Systems. A cost comparison shows an average increase of (17%) from fiscal year 2012 to fiscal year 2013, and an average 36% increase from fiscal year 2013 to fiscal year 2014. Following is a tabulation of the bids received:

<u>GRP First Year – 2013</u>	<u>Etna Supply Grand Rapids, MI</u>	<u>HD Supply Canton, MI</u>	<u>MI Pipe & Valve Saginaw, MI</u>
#1 Water Service Boxes	\$59,712.95	-0-	\$47,610.00
#2 Valve Service Boxes	\$66,321.00	-0-	\$52,350.00
#3 Resilient Wedge Cut Valves	\$40,095.20	-0-	\$31,045.00
#4 Bell clamps	\$ 4,839.68	\$ 4,348.07	\$ 6,557.00
#5 Type Duo Solid Sleeves	\$46,682.00	\$ 45,160.00	\$47,810.00
#6 20” Oal MJ Cut in Sleeves	\$10,600.86	\$11,112.00	\$ 6,850.00

<u>GRP First Year – 2013</u>	<u>Etna Supply Grand Rapids, MI</u>	<u>HD Supply Canton, MI</u>	<u>MI Pipe & Valve Saginaw, MI</u>
#7 MJ Ductile Iron Caps	\$ 2,790.00	\$ 2,569.00	\$ 5,510.00
#8 Mega Lug Restraining	\$ 1,322.02	\$ 1,550.00	\$ 1,394.00
#9 Smith Blair Repair Clamps	\$ 23,802.64	\$ 32,423.18	\$ 16,990.00
#10 Resilient Wedge Tapping	\$ 8,539.00	\$ 8,889.42	\$ 9,665.00

<u>GRP Second Year – 2014</u>	<u>Etna Supply Grand Rapids, MI</u>	<u>HD Supply Canton, MI</u>
#1 Water Service Boxes	\$65,191.00	
#2 Valve Service Boxes	\$73,686.00	
#3 Resilient Wedge Cut Valves	\$44,520.00	
#4 Bell Clamps	\$ 5,390.40	\$ 4,844.00
#5 Type Duo Solid Sleeves	\$11,846.00	\$45,946.00
#6 20" Oal MJ cut in sleeves	\$ 8,448.00	\$11,112.00
#7 MJ Ductile Iron Caps	\$ 1,480.54	\$12,345.96
#8 Mega Lug Restraining	\$27,910.00	\$ 7,914.00
#9 Smith Blair Repair Clamps	\$ 9,490.00	\$30,271.00
#10 Resilient Wedge Tapping	\$ 8,539.00	\$ 9,901.00

These vendors meet all requirements of §14.23, "Vendors," of Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for these purchases are budgeted in the Water Operation and Maintenance Fund – Maintenance and Service Division's Parts & Supplies Account No. 591-4721-861.73-30 (\$216,783.09), and will be budgeted in the same account number in the amount of (\$264,917.54) pending approval of the fiscal year 2014 budget.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Additional Elevator Maintenance Service
Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend that the elevator maintenance service proposal, including terms and conditions, with Kone Inc., Livonia, MI, be accepted and a purchase order be approved and issued to them in the amount of \$4,605 for fiscal years 2013 and 2014. This agreement has been approved by me as to substance and by the City Attorney as to form.

Justification:

On May 18, 2012, the City received a Recommended Maintenance Modules Proposal, including terms and conditions, for the three elevators located at the Water Treatment Plant. These services are recommended in order to ensure our equipment is safe for riders, performs reliably and to prolong the life of the elevators. The services are additional to the basic maintenance agreement originally bid and awarded to Kone, Inc. The purchasing officer recommended that bids for these services were unnecessary due to possible conflicts between competing service companies.

The recommended maintenance items include a door operator and landing door maintenance module, a hoistway cleandown module and replacement of the starter contacts and hydraulic oil on the elevators in question.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds are budgeted in the Water Treatment Operations and Maintenance Fund, Treatment and Pumping Division's Professional Services Account Number 591-4730-861.80-01 for fiscal year 2013 and will be budgeted in this account number for fiscal year 2014.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Optimization Solutions Environmental, L.L.C. Maintenance Agreement
Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

Approve and issue a purchase order in the amount of \$10,000 for fiscal year 2013 and fiscal year 2014 to Optimization Solutions Environmental, LLC., Grand Rapids, MI, a sole source provider, for a technical support services agreement to assist in controlling coagulant chemical feed rates in the Water Treatment Division. This agreement has been approved by me as to substance and by the City Attorney as to form.

Justification:

On January 10, 2007, the City received an agreement from Optimization Solutions Environmental, LLC, formerly A.Y. Consulting, for the development of a customized computer model to assist the Water Treatment Plant in controlling coagulant chemical feed rates. Council subsequently approved the agreement on February 19, 2007. Since this initial model development, the City has continued to maintain maintenance agreements with Optimization Solutions, including data base management, upgrades to the customized coagulation computer model and ongoing consulting services related to coagulation treatment.

The model continues to help detect and rectify various operational challenges, optimize process operations and increase the operators' awareness of factors affecting plant performance. The optimization of chemical feed rates and plant performance continues to be important. Chemical costs fluctuate, process changes are being made, and regulatory requirements and source water quality are changing. This tool and the consulting services provided are very effective in helping the city deal with these challenges.

Since this model was created specifically for the City's Water Treatment Plant source water and associated processes, Optimization Solutions is the sole source vendor.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds are budgeted in the Water Treatment Operations and Maintenance Fund, Treatment and Pumping Division's Engineering Services Account Number 591-4730-861.80-02 for fiscal year 2013 and will be budgeted in this account number for fiscal year 2014.

Council Action:

Council Member _____ moved, seconded by Council Member _____
that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: High Service Pump Reverse Engineering, Machine and Assemble
Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Bernier Cast Metals Inc., Saginaw, MI, be accepted and a purchase order be approved and issued to them in the amount of \$15,900 for fiscal year 2013 to reverse engineer the impeller and rings for a high service pump at the water treatment plant.

I also recommend that the quote from Central Metallizing and Machine Inc., Saginaw, MI be accepted and a purchase order be approved and issued to them in the amount of \$3,000 for fiscal year 2013 to machine and assemble the castings on the existing pump shaft of a high service pump at the Water Treatment Plant.

Justification:

Quotes were received for replacement of the worn impeller and wear rings from High Service Pump #5 from Siemens, the company owning the rights of the original manufacturer (Demag DeLaval), in the amount of \$68,090. Due to age of the pump, 1926 manufacture, the Company can no longer find the pattern or prints for the impeller and rings. The quote for the replacement parts includes the cost for making a new pattern. Siemens would retain the pattern, even though we paid to have it made, and would also charge us for the casting and machining to anticipated specifications. Because the cost was much higher than we anticipated, we sought quotes from local suppliers to reverse engineer essential components and machine and assemble castings. We chose two local suppliers to reduce the lead time for delivery and cost of shipping. We also anticipate that this process will require a considerable amount of coordination, thus working with local suppliers will improve our ability to correct any issues or problems that may arise in the process. This is our first attempt at reverse engineering, but based on past experience, these local suppliers have proven to be very proficient on other repair work performed at the plant.

All of our pumps are aging and will need work in the coming years. The pump bodies, casings and manufacture are of much higher quality than available in today's products. We are looking to find a way to preserve the high quality components and systems by replacing only what is worn out. If the reverse engineering is successful we will have a considerable cost savings as we perform repairs in the future.

These vendors meet all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing, of "Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Water Operation and Maintenance Fund, Treatment and Pumping Division's General Repairs Account Number 591-4730-861.80-40.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: Authorization to Allow the Sale and Consumption of Alcoholic Beverages at Hamilton Street Pub/Drunken Monkey Annual Altered Skin Revolution Outdoor Special Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the sale and consumption of alcoholic beverages for the Hamilton Street Pub/Drunken Monkey Annual Altered Skin Revolution Outdoor Special Event to be held on September 14, 2012 between the hours of 5 pm and 10 pm and September 15, 2012 between the hours of 12 pm and 10 pm. The event will be held at the Hamilton Street Pub located at 308 Hamilton and The Drunken Monkey located at 312 Hamilton Street.

Justification:

Hamilton Street Pub/Drunken Monkey has requested that the City allow them to sell and consume alcoholic beverages during their outdoor special event September 14 and September 15, 2012.

In accordance with Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances, City Council can authorize the sale of alcoholic beverages on public property, if the vendor provides the following to the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The dates and times for said activities;
- (3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in subsections (1) and (2) above;
- (4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance in the State of Michigan;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;
- (6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and
- (7) Such other reasonable requirements as said City Council deems appropriate.

The Sponsor will be providing alcoholic beverages at the annual Altered Skin Revolution, and they will provide the proper documents to the City by September 4, 2012. If the Sponsor fails to provide the documentation, they will not be allowed to sell or consume alcoholic beverages on public property outside the Hamilton Pub Street/Drunken Monkey located at 308 Hamilton and 312 Hamilton Street on September 14 and 15, 2012. The City will set the insurance requirements and all insurance certificates must be reviewed and approved by the City. Furthermore, the Sponsor will be advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

This Council Communication is for explanation purposes only of the Resolution to be adopted.

Manager’s Recommendation: Approval of the resolution as follows:

RESOLUTION TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES OUTDOORS FOR HAMILTON STREET PUB/DRUNKEN MONKEY SPECIAL EVENT

Council _____ offered and moved adoption of the following resolution:

WHEREAS, The Hamilton Street Pub/Drunken Monkey plans to have an Annual Altered Skin Revolution outdoors at 308 South Hamilton and 312 South Hamilton Street on September 14 and September 15, 2012; and

WHEREAS, The Hamilton Street Pub/Drunken Monkey requested that they be allowed to sell alcoholic beverages to participants on public property; and

WHEREAS, City Council can provide authorization for the sale and consumption of alcoholic beverages on public property; and

WHEREAS, The Hamilton Street Pub/Drunken Monkey must provide certain documents prior to the event.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the outdoor sale and consumption of alcoholic beverages on public property during the Hamilton Street Pub/Drunken Monkey Annual Altered Skin Revolution to be held on September 14 between the hours of 5 pm and 10 pm and September 15, 2012 between the hours of 12 pm and 10 pm at 308 South Hamilton and 312 South Hamilton Street.

BE IT FURTHER RESOLVED, if the Hamilton Street Pub/Drunken Monkey does not provide mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances no later than September 4, 2012, to the proper City officials, they will not be allowed to sell and consume alcoholic beverages during the event on September 14 and September 15, 2012.

BE IT FURTHER RESOLVED, that the City set all insurance requirements and all insurance certificates must be reviewed and approved by the City.

From: Darnell Earley, City Manager
Subject: Authorization for Hamilton Street Pub/Drunken Monkey to Use Amplifying Equipment during their Event
Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the Altered Skin Revolution event. The event will be held at the 300 Block of South Hamilton Street between Cass Street and Van Buren Street on Friday, September 14, 2012 between the hours of 5 pm and 10 pm and on Saturday, September 15, 2012 between the hours of 12 pm and 10 pm.

Justification:

On August 14, 2012, Hamilton Street Pub/Drunken Monkey submitted an application for an annual Altered Skin Revolution event, and they have requested permission to use amplifying equipment during the event.

In accordance with Title IX, "General Regulations" of Chapter 99, "Special Event," §99.21, "Use of Sound Amplifying Equipment," if an event sponsor intends to use sound amplifying equipment, the event sponsor is required to obtain approval from City Council.

Council Action:

This Council Communication is for explanation purposes only of the Resolution to be adopted.

Manager's Recommendation: Approval of the resolution as follows:

**RESOLUTION TO AUTHORIZE THE HAMILTON PUB/DRUNKEN MONKEY
TO USE AMPLIFYING EQUIPMENT ON SEPTEMBER 14, 2012 and September 15,
2012 BETWEEN THE 300 BLOCK OF SOUTH HAMILTON STREET
BETWEEN CASS STREET AND VAN BUREN STREET**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Hamilton Street Pub/Drunken Monkey plans to hold their annual Altered Skin Revolution event on September 14 and September 15, 2012; and

WHEREAS, the Hamilton Street Pub/Drunken Monkey has requested permission to use amplifying equipment on September 14, 2012 between the hours of 5 pm and 10 pm and on September 15, 2012 and between 12 pm and 10 pm; and

WHEREAS, City Council can provide authorization for the use of amplifying equipment on public property; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the annual Altered Skin Revolution to be held on September 14, 2012 between the hours of 5:00 p.m. and 10:00 p.m. and on September 15, 2012 between the hours of 12 pm and 10 pm at the 300 Block of South Hamilton Street between Cass Street and Van Buren Street.

Council _____ moved that an ordinance introduced August 13, 2012, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND § 72.55 "PARKING VIOLATIONS BUREAU," § 72.99 "PENALTIES," § 72.03 "BOAT LAUNCH PARKING AREAS," § 72.40 "CITY PARKING LOTS OR AREAS," AND § 72.41 "REDUCED GROUP RATES," OF CHAPTER 72, "PARKING REGULATIONS", OF TITLE VII "TRAFFIC REGULATIONS", OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. Section 72.55 "Parking Violations Bureau", of Chapter 72 "Parking Regulations" of Title VII "Traffic Regulations" of the Saginaw Code of Ordinances O-1 is hereby amended to read as follows:

Section 72.55. Parking Violations Bureau.

- (A) The City hereby establishes a Parking Violations Bureau (Bureau) pursuant to MCL 600.8395.
- (B) The purpose of the Bureau shall be to accept admissions in parking violation cases and to collect and retain civil fines and costs as prescribed by City ordinance.
- (C) A "parking violation notice" or "citation" means a notice directing a person to pay the fines and costs herein prescribed for the parking or standing of a motor vehicle in violation of City ordinance. The parking violation notice shall indicate the nature of the violation, the section of the ordinance violated, the contact information for the Bureau (or its authorized agent), and the amount of fine and/or penalty levied for the offense.

- (D) A parking violation notice or citation may be issued by a police officer, including a limited duty officer, or other personnel duly authorized by the City Manager.
- (E) A parking violation notice or citation may be served personally upon the operator of the vehicle, upon the registered owner of the vehicle by attaching the notice to the vehicle, or by ordinary mail addressed to the registered owner.
- (F) After receiving a parking violation notice or citation, a defendant may a) pay the applicable fine and/or penalty pursuant to the instructions on the parking violation notice or citation; or b) file a written appeal with the Bureau or its authorized agent.
- (G) If a defendant has not filed a written appeal with the Bureau or its authorized agent and has not otherwise disposed of the parking violation notice within ten (10) days after its issuance, a penalty in the amount proscribed by Section 72.99 of this Ordinance shall be levied.
- (H) If a defendant has not filed a written appeal with the Bureau or its authorized agent or has not otherwise disposed of the parking violation notice within fifteen (15) days after its issuance, then the Bureau or its authorized agent shall send a second written notice by ordinary mail to the address of the registered owner. This second written notice shall contain the same facts and information contained within the first notice, but shall also include the amount of any penalty levied.
- (I) Those defendants who have filed a written appeal with the Bureau or its authorized agent within fifteen (15) days after the issuance of the original notice shall not receive a second written notice as described in division (H).

- (J) If a defendant has not filed a written appeal with the Bureau or its authorized agent and has not otherwise disposed of the parking violation notice within 30 (thirty) days after its issuance, then the Bureau or its authorized agent shall send written notice by ordinary mail that the amount owed has been marked delinquent and the matter will proceed to collections.
- (K) The Bureau or its authorized agent is authorized to collect any penalties due hereunder in any manner allowed by law, including, but not limited to, the use of a third party or agency.
- (L) Appeal Process:
- a. Within three (3) days of the date of receipt of a parking violation notice or citation, a defendant wishing to appeal the notice and the associated fee may do so by filing a written appeal with the Bureau or its authorized agent.
 - b. Within ten (10) days from its receipt of the appeal, the Bureau or its authorized agent shall make a determination on the appeal request and shall notify the defendant of its decision in writing.
 - c. In the event the defendant is not satisfied with the decision rendered by the Bureau or its authorized agent, within ten (10) days of the determination the defendant may appeal the determination in a court of competent jurisdiction.
 - d. In such cases, the court may order the payment of costs in addition to any authorized penalties in accordance with the Michigan Vehicle Code, MCL 257.907.

Section 1. This ordinance shall become effective August _____, 2012.

Enacted: August _____, 2012

Section 2. Section 72.99 “Penalties”, of Chapter 72 “Parking Regulations” of Title VII “Traffic Regulations” of the Saginaw Code of Ordinances O-1 is hereby amended to read as follows:

Section 72.99 Penalties.

- (A) Any violation of the provisions of this chapter shall be punishable by the fines below unless otherwise provided by law.
- (B) The fines for a single parking violation are as follows:
 - (1) Overtime violations: fifteen dollars (\$15.00).
 - (2) Designated handicapped space violations: one hundred and fifty dollars (\$150.00).
 - (3) All other parking violations: twenty five dollars (\$25.00).
 - (4) If no written appeal has been filed and if the original parking violation notice has not been disposed of within ten (10) days after service of the original parking violation notice, the following penalties will be applied in addition to the original fines set forth above:
 - (a) Overtime violations: fifteen dollars (\$15.00).
 - (b) Designated handicapped space: fifty dollars (\$50.00).
 - (c) All other parking violations: twenty five dollars (\$25.00).

- (C) In addition to the fines and penalties set forth in divisions (A) and (B) any or all of the following actions may be taken in an effort to collect unpaid parking fines.
- (1) The Bureau may forward the unpaid fines to a collection agency for action. Upon forwarding the fines to the collection agency, an administrative fee equal to thirty percent (30%) of the unpaid fine will be added to the balance due.
 - (2) If a vehicle owner has more than three (3) unpaid parking citations an immobilization device may be placed on the vehicle when found. The device will be removed only after all unpaid fines and penalties have been satisfied, along with an immobilization device removal fee of seventy-five (\$75.00) dollars. The vehicle owner may contest the immobilization by following the procedures in Section 70.32 of this Ordinance. Failure to comply with these requirements after the passing of forty-eight (48) hours will result in the impoundment of the vehicle in accordance with the procedures in Section 70.31 of this Ordinance. An impounded vehicle may be redeemed only after all unpaid fines and penalties have been satisfied, the immobilization device removal fee has been paid, and towing and storage fees have been paid.

- (a) An immobilization device may only be removed by personnel duly authorized by the City Manager. The penalty for unauthorized removal of said device shall constitute a criminal misdemeanor punishable by up to ninety (90) days imprisonment and/or up to a five hundred (\$500.00) dollar fine and other costs as allowed by MCL 257.907, including, but not limited to costs relating to damaged immobilization devices.

Section 2. This ordinance shall become effective August _____, 2012

(D) Enacted: August _____, 2012

Section _____. Section 70.32 “Redemption of Vehicle; Hearing”, of Chapter 70 “General Provisions” of Title VII “Traffic Regulations” of the Saginaw Code of Ordinances O-1 is hereby amended to read as follows:

Section 70.32. Redemption of Vehicle; Hearing.

(A) If the owner does not contest the immobilization or impoundment of the vehicle, the owner may obtain the release of the vehicle by paying the accrued charges to the City together with a device removal fee of seventy-five (\$75.00) dollars.

(B) If the owner contests the immobilization or impoundment of the vehicle, the matter shall be resolved after a hearing conducted in the 70th District Court. An owner who contests the immobilization or impoundment of the vehicle may obtain release of the vehicle by posting a bond or cash deposit as determined by the court. The bond or cash deposit shall not exceed five hundred dollars (\$500.00).

Section _____. This ordinance shall become effective August _____, 2012.

Enacted: August _____, 2012

Section 3. Section 72.03 “Boat Launch Parking Areas”, of Chapter 72 “Parking Regulations” of Title VII “Traffic Regulations” of the Saginaw Code of Ordinances

O-1 is hereby amended to read as follows:

Section 72.03. Boat Launch Parking Areas.

(A) No person shall park a vehicle used to transport a boat in a parking lot or parking area provided for such use at a City-owned boat launch without having paid one of the following:

1. Paid the sum of seven dollars (\$7.00) to include the launching of a boat and parking of a vehicle used to transport such boat.
2. Paid the sum of two dollars (\$2.00) for the parking of a vehicle with the intention of accompanying a person or persons utilizing the City-owned boat launch.

(B) An individual may purchase from the City a seasonal permit. Said permit shall cost thirty-five dollars (\$35.00) and will allow parking at a City-owned boat launch for the calendar year (January 1 - December 31) in which purchased. Prorating of the seasonal permit fees or term shall not be permitted. Said permit shall be affixed to the lower right corner of the vehicles used to transport a boat at a City-owned boat launch during hours which the launch is open to the public.

(C) The issuance of, and fines for, a violation of this section shall be governed by § 72.99 and all other applicable parking ordinances.

Section 3. This ordinance shall become effective August _____, 2012

Enacted: August _____, 2012

Section 4. Section 72.40 “City Parking Lots or Areas”, of Chapter 72 “Parking Regulations” of Title VII “Traffic Regulations” of the Saginaw Code of Ordinances O-1 is hereby amended to read as follows:

Section 72.40. City Parking Lots or Areas.

(A) *Rates and charges for parking in City-owned or operated off-street parking lots or areas.*

(1) The number and location of the City-owned or operated off-street parking lots, ramps, and areas for which rates and charges for parking are established herein shall be as described and designated on the Parking Lot Map on file in City Clerk's File No. 348-C-7.

(2) Rates for parking motor vehicles in City-owned or City-operated off-street parking lots, ramps, and areas shall be as follows:

PARKING LOT RATES – DAYTIME MONDAY - FRIDAY				
Lot No.	Hourly Parking Rate	Maximum Period	Monthly Parking Allowed	Monthly Rate
4	none	none	yes	\$25.00
23	free parking	1 hour	yes	\$25.00
PARKING RAMP 1 (LOT 9) RATES				
Monthly parking			\$36.00	
Weekly (seven (7) consecutive days)			\$15.00	
Daily or convention pass			\$5.00	
PARKING RAMP 3 (LOT 33) RATES				
Hourly Parking	Maximum Period	Monthly and Weekly Parking	Weekly Rate (seven (7) consecutive days)	Monthly Rate
free parking	2 hours	yes	\$15.00	\$25.00
DESIGNATED SPECIAL EVENT PARKING				

<i>Lot No.</i>	<i>Time</i>	<i>Rate</i>
4	Nights, Sundays, and holidays	\$3.00
23	Nights, Sundays, and holidays	\$3.00

(B) The Parking Violations Bureau or its authorized agent will invoice customers for daily, weekly, and monthly parking use on a quarterly basis. Invoices will be mailed on or about the first day of each quarter with payment due by the fifteenth day of the first month of each quarter.

(C) *Special charge for release of parked vehicle from City off-street area after hours.* Upon the release of a motor vehicle from a City-owned or operated parking lot or area at a time when it is not open for public use, a special charge of ninety-eight dollars (\$98.00) for each occurrence shall be made in lieu of the charges specified in division (A).

(D) *Special charge for reactivation and reissuance.*

(1) If payment is not received by the fifteenth day of the billing quarter, the customer's parking permit will be deactivated. The individual will be charged a fee of twenty dollars (\$20.00) to reactivate the permit.

(2) If a customer requires a replacement permit, the City will charge the customer a fee of five dollars (\$5.00) to replace the permit.

Section 4. This ordinance shall become effective August _____, 2012

Enacted: August _____, 2012

Section 5. Section 72.41 “Reduced Group Rates”, of Chapter 72 “Parking Regulations” of Title VII “Traffic Regulations” of the Saginaw Code of Ordinances O-1 is hereby amended to read as follows:

Section 72.41. Reduced Group Rates.

- (A) Reduced group rates for parking for twenty-five (25) or more spaces may be authorized by written agreement approved by the City Council.
- (B) Each agreement shall, among other things, satisfy the following conditions:
 - (1) The group shall be an established organization capable of carrying out its contractual obligations.
 - (2) The term of the contract shall be established by written agreement approved by City Council.
 - (3) The group shall not sublease any of the spaces to any person at a rate less than that charged by the City at any time during the term of the sublease for other individually leased spaces in the same parking facility.
- (C) The City or its authorized agent shall invoice such customers pursuant to the terms of the written agreement.

Section 5. This ordinance shall become effective August _____, 2012

Enacted: August _____, 2012